

DECLARATION OF KIM BORGHESE IN SUPPORT OF PLAINTIFFS'

APPLICATION FOR TEMPORARY RESTRAINING ORDER

I, Kim Borghese, being over the age of 18 and competent, declare:

1. I am a resident of Clark County in the state of Nevada, and am the state co-chair of the Nevada Green Party. If called upon as a witness, I could and would competently testify to the following facts based upon my own personal knowledge or information and belief.

2. I make this Declaration in support of Plaintiffs Nevada Green Party ("NGP"), Dr. Jill Stein, and Julia Hammett, (hereinafter collectively "Plaintiffs") *Application for Temporary Restraining Order* (the "Application").

3. The NGP gathered signatures in support of its petition to place its candidates for President and Vice President of the United States on the general election ballot. It submitted the petition by the deadline on June 3, 2016, which requires the Green Party to organize, gather, and file its petition with 5,431 verified signatures over five months before the general election in November, and nearly two months before the party even holds its national convention and nominates its candidates.

4. On Wednesday, June 22, 2016, the Nevada Green Party received notification from the Secretary of State's office that it did not have enough verified signatures for its ballot access petition, after submitting to each respective Nevada county as many signatures as it was able to gather by the June 3, 2016 deadline.

5. Due to this early petition deadline, the Nevada Green party was unable to obtain enough volunteers early enough to go out and collect the requisite number of

signatures by the early petition deadline. In fact, the NGP could not begin collecting signatures for its petition until May 21, 2016; less than two weeks prior to the June 3, 2016 deadline.

6. The Nevada Green Party continued to collect additional signatures for its ballot access petition after receiving notification on June 22, 2016 that it did not have enough verified signatures.

7. On August 1, 2016, at approximately 11:00 a.m., I called the Nevada Secretary of State's office and spoke with Wayne Thorley, the Deputy Secretary of the Election's Division. I stated that I had more than 1000 supplemental signatures that I would like to submit on behalf of the Nevada Green party to meet the required number of signatures for the Nevada Green Party's minor political party ballot access petition. Mr. Thorley stated that because of the June 3, 2016 deadline, we would be unable to submit any more signatures. He further stated that that there could be no late filings.

8. At no time during my communications with Mr. Thorley did he mention any actual or theoretical prejudice to the Secretary of State's office that would result if the NGP's papers were accepted on August 1 instead of June 3. Nor am I aware of any prejudice that would result if the Secretary of State's office accepted the papers today.

9. Dr. Jill Stein is the NGP's presumptive nominee for President of the United States. However, the NGP nominees for President and Vice President will not be chosen officially until the Green Party-US Presidential Nominating Convention on August 6, 2016.

10. My understanding of the effect of the Secretary of State's office not accepting the nomination papers is that the NGP's presidential and vice presidential

candidate will not be able to appear on the Nevada general election ballot, barring a court order requiring that the Secretary of State's office accept the NGP's ballot access petition. It is my understanding that if the Secretary of State's office does not accept the papers as soon as possible, there will not be enough time under Nevada's ballot printing scheme to print the NGP's presidential and vice presidential candidates' names on the ballot before the general election. As a result, the NGP will suffer immediate and irreparable injury if the Court does not grant relief immediately.

I declare under penalty of perjury under the laws of the United States of America and the State of Nevada that the foregoing is true and correct.

EXECUTED on August 5, 2016 in Houston, Texas.

A handwritten signature in black ink, appearing to read "Kim Borgheese", written in a cursive style.

KIM BORGHESE